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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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**JAMES B. HICKOK,**

Plaintiff,

v.

**UNITED STATES POSTAL SERVICE,  
JOHN POTTER, POSTMASTER  
GENERAL, and DAVID MISNER,**

Defendants.

**ORDER AFFIRMING  
REPORT & RECOMMENDATION**

**Case No. 2:04CV573DAK**

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This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Brooke C. Wells under 28 U.S.C. § 636(b)(1)(B). Defendants then filed a motion to dismiss and motions for summary judgment. On November 9, 2006, Judge Wells issued Report and Recommendation, recommending that Defendants' motions be granted.


The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within ten days of receiving it. The time for filing an objection has passed and no objection has been filed to the Report and Recommendation.

The court has reviewed the file *de novo*. The court approves and adopts the Magistrate

Judge's Report and Recommendation in its entirety. Accordingly, Defendants' motions are GRANTED.

DATED this 18th day of December, 2006.

BY THE COURT:

  
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DALE A. KIMBALL  
United States District Judge